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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/714,725	11/16/2000	Gerald Francis McBrearty	AUS9-2000-0748-US1	9481

7590

11/07/2005

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EXAMINER

KLANERSI, MITRA

ART UNIT

PAPER NUMBER

2145

DATE MAILED: 11/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/714,725

Applicant(s)

MCBREARTY ET AL.

Examiner

Mitra Kianersi

Art Unit

2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 August 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Response to Arguments

Applicant's argument filed on 08/25/2005 has been fully considered, but they are not persuasive.

Applicant on page 2, line 14 argues that the present invention does the tracking of a browsing session by starting with a starter received web document, and then selecting a set of subsequently received Web documents as a set of subsequent or next documents using means for creating a hyperlink in each of the starter and next documents respectively to their next document in the set. The actual and received starter and next documents are stored at the receiving display station thereby store a selected string of linked actual web documents or pages at the receiving station.

Bauersfeld fails to disclose means for creating a hyperlink in each of the starter and next documents respectively to their next document in the set. The Bauersfeld's invention provides a session navigation and recording system. The invention uses an easily configured session recording system that automatically records all of the web pages that the user visits during a session and organizes them into paths. In addition, the invention uses a user-definable path system as equivalent to the applicant's Hyperlink that enables the user to create paths that include web pages, macros, filters, search queries, and any object that can be acted upon, such as application programs, mail messages, newsgroups and meetings. (col 1, lines 66-67 and col 2, lines 1-7).

The system automatically records every web page, document or piece of data that the user visits. This preserves the context of the paths and allows the user to view all of the paths traversed in a session. The session paths are placed in a file. (col 2, lines 8-12). The invention enables the user to edit and display any session path. Pages may

Art Unit: 2145

be marked for different levels of priorities and also for aging. Pages may be marked to expire within a certain time span or by a certain date. Col 2, lines 19-23). Further, the user creates a custom path comprised of web pages, macros, filters, search queries, email, and any object that can be acted upon, including other application programs. User defined paths may also be combined with all or part of a session path. The user-defined paths are executed in the same manner as session paths. (Col 2, lines 25-30). Because the arguments with respect to the allowableness of independent claims were found unpersuasive, these same arguments are not persuasive with respect to the other dependent claims.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 6-11, 13-18 and 20-21 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Bauersfeld et al, Pat. No. 6,195,679.

1. Per claims 1-3, Bauersfeld discloses a system and method for recording and editing a web browsing session comprising:

Art Unit: 2145

a) means at a receiving display station for designating a received Web document as a starter document (see col 3, lines 1-9 and 45-47):

b) means for selecting a subsequently received Web document as a first next document (col 3, lines 23-31);

c) means for creating a hyperlink in said starter document to said first next document, e.g. Forward button (uses a user-definable path system as equivalent to the applicant's Hyperlink that enables the user to create paths that include web pages, macros, filters, search queries, and any object that can be acted upon, such as application programs, mail messages, newsgroups and meetings. (col 1, lines 66-67 and col 2, lines 1-7) and

d) means for storing said starter and next documents at said receiving display station as a string of linked web documents (The system automatically records every web page, document or piece of data that the user visits. This preserves the context of the paths and allows the user to view all of the paths traversed in a session. The session paths are placed in a file. (col 2, lines 8-12).

2. Per claim 4, Bauersfeld teaches providing visually distinct navigation buttons (e.g., Back, Forward) for access to the next documents (see col 4, lines 11-13).

3. Per claim 6, Bauersfeld teaches providing means for changing the order of the sequence of the next documents (see col 6, lines 32-40).

4. Per claim 7, it is noted that Bauersfeld teaches recording and editing a web browsing session using a web browser.

5. Claims 8-11, 13-18 and 20-21 are similar in scope as that of claims 1-4 and 6-7.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 12 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bauersfeld (US. Pat No. 6,195,679) and further in view of Nielsen (US. Pat No. 6,021,435).

Bauersfeld does not explicitly teach highlighting a link to the next document. The use of highlighting a hyperlink (or control button) is well known in the art as disclosed by Nielsen, see col 1, lines 66-67 and col 2, lines 1-4). The browser indicates the unavailability of a link by changing the appearance of a displayed link anchor. For example, while link anchors for available links may be displayed as underlined text with a highlight color, link anchors for unavailable links may be displayed as underlined text but in the default text color. The title of the target of a link may be displayed in a footer message whenever a cursor travels over the associated link anchor.

It would have been obvious to one of art at the time of the invention to ordinary skill in the art to utilize such hyperlink highlights in Bauersfeld because it would have helped users to locate such navigation controls/links in the document more easily.

Art Unit: 2145

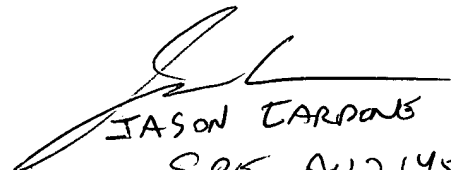
Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mitra Kianersi whose telephone number is (571) 272-3915. The examiner can normally be reached on 8:00AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cordone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Mitra Kianersi
Oct-31-2005


JASON CORDONE
SPE AU 2145